IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

(CMP NO.2684 /2007 IN CRIME NO.439 OF 2006 OF VADAKKANCHERY POLICE STATION)

Bail Appl..No. 4259 of 2007()

PETITIONER : ACCUSED:

SHIBU K.S. S/O.SUBRAMANYAN AGED 25 YEARS,
KATTARKUDY KIZHAKKANCHERY,
ALATHUR

BY ADV. SRI.A.P.SUBASH

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.4259 of 2007

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Dated this the 13th day of July, 2007

ORDER

Application for regular bail. The petitioner is alleged to have committed rape on a sales girl aged about 19 years. The complaint was filed two days later. Investigation is in progress. The petitioner surrendered before the learned Magistrate on 23.06.07. He continues in custody from that date.

2. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. The petitioner and the defacto complainant are in love, he submits. The defacto complainant by Annexure B application has already informed the Police that she has no grievance. The learned Public Prosecutor submits that no application has been received by the Investigating Officer. However, the learned Public Prosecutor submits, in the facts and circumstances of the case, that the petitioner can now be enlarged on regular bail subject to appropriate conditions. The learned Public Prosecutor has produced wound certificate of the victim, as also the statement of the Doctor for my perusal.

3. I am satisfied that the petitioner can be granted regular bail now, subject to appropriate conditions. I am of the opinion that it is not necessary to advert to facts in any greater detail, including the details available in the wound certificate.

4. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) He shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months from the date of release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE